

AMENDED IN SENATE AUGUST 8, 2006

AMENDED IN ASSEMBLY MAY 9, 2006

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 2135

Introduced by Assembly Member Vargas

February 21, 2006

An act to add Section 53153.5 to the Government Code, relating to emergency services.

LEGISLATIVE COUNSEL'S DIGEST

AB 2135, as amended, Vargas. Emergency services: liability.

Existing law provides that any person who is under the influence of an alcoholic beverage, any drug, or the combination of an alcoholic beverage and any drug, whose negligent operation of a motor vehicle, a boat or vessel, or a civil aircraft caused by that influence proximately causes any incident resulting in an appropriate emergency response, and any person whose intentionally wrongful conduct proximately causes an incident resulting in an appropriate emergency response, is liable for the expense of an emergency response by a public agency to the incident.

This bill would provide that any person 18 years of age or older who ~~knowingly makes~~ *is convicted of making* a false police report ~~or whose criminal conduct related to a, and that~~ false police report proximately causes an appropriate emergency response by a public agency, is liable for the expense of the emergency response made by the responding public agency to the incident ~~upon conviction of any crime causing the public agency's emergency response~~. The bill would specify that a public agency shall be entitled to satisfaction for

any judgment for expenses for an emergency response under specified conditions.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 53153.5 is added to the Government
2 Code, to read:
3 53153.5. (a) Any person 18 years of age or older who
4 ~~knowingly makes a false police report~~ *is convicted of making a*
5 *false police report*, in violation of Section 148.3 of the Penal
6 ~~Code or whose criminal conduct related to a Code, and that false~~
7 police report proximately causes an appropriate emergency
8 response by a public ~~agency~~ *agency*, is liable for the expense of
9 the emergency response made by the responding public agency to
10 the incident ~~upon conviction of any crime causing the public~~
11 ~~agency's emergency response.~~
12 (b) A public agency shall be entitled to satisfaction of any
13 judgment for expenses pursuant to this article after any victims or
14 other persons injured by the incident are compensated for their
15 injuries and any liens held by a medical provider are satisfied.